

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

STUDCO BUILDING SYSTEMS U.S., LLC,

Plaintiff,

v.

Case No. 2:20-cv-00417

1st ADVANTAGE FEDERAL CREDIT UNION,
JOHN DOE

Defendants.

**PLAINTIFF STUDCO BUILDING SYSTEMS US, LLC'S
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Fed. R. Civ. P. 56, Plaintiff Studco Building System US, LLC, moves for summary judgment against Defendant 1st Advantage Federal Credit Union on the three remaining counts: (1) Count I: Misdescription of Beneficiary, Va. Ann. Code § 8.4A-207; (2) Count III, Bailment; and (3) Count IV: Fraudulent Concealment. The grounds for this motion are set forth in detail in the accompanying Memorandum of Law, Declaration of Chirag H. Patel, and Motion for Leave to File Under Seal and Memorandum of Law in Support and supporting exhibits.

DATED: September 14, 2021

Respectfully submitted,

STUDCO BUILDING SYSTEMS US, LLC

By: /s/ Brett A. Spain

Brett A. Spain (VSB No. 44567)

Bethany J. Fogerty (VSB No. 94753)

Counsel for Studco Building Systems US, LLC

Willcox & Savage, P.C.

440 Monticello Avenue, Ste. 2200

Norfolk, Virginia 23510

757.628.5500 Telephone

757.628.5566 Facsimile

bspain@wilsav.com

bfogerty@wilsav.com

and

Myriah Valentina Jaworski, Esq. (*Pro Hac Vice*)
Chirag H. Patel, Esq. (*Pro Hac Vice*)
Beckage PLLC
420 Main Street, Ste. 1110
Buffalo, NY 14202
716.898.2102 Telephone
mjaworski@beckage.com
cpatel@beckage.com

CERTIFICATE OF SERVICE

I hereby certify that on 14th day of September, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record.

/s/ Brett A. Spain

Brett A. Spain (VSB No. 44567)
Bethany J. Fogerty (VSB No. 94753)
Counsel for Studco Building Systems US, LLC
Willcox & Savage, P.C.
440 Monticello Avenue, Ste. 2200
Norfolk, Virginia 23510
757.628.5500 Telephone
757.628.5566 Facsimile
bspain@wilsav.com
bfogerty@wilsav.com